

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No.71627

Matko Lee Chullin

408 Oriole Avenue

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on December 15, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 35-2-304 (B)(1) must obtain permit; 21-7-216 (4), failure to comply with the correction notice; must hire master electrician, change service cable on residential property known as 408 Oriole Avenue, 21224.

On November 24, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Roger McMillion issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,000.00 (two thousand dollars).

The following persons appeared for the Hearing and testified: Matko Lee Chullin, Respondent, Roger McMillion, Electrical Inspector and Vince Metallo, Electrical Supervisor with Baltimore County Electrical Inspections.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on October 14, 2009 for replacement of frayed electrical service cable by master electrician. This Citation was issued on November 27, 2009.

B. County Electrical Inspector Roger McMillion testified that this case arose from a complaint filed by the County Department of Public Works (DPW). DPW is responsible for maintaining the sewer system including grinder pumps, which require electrical service. This commercial property has a damaged electrical service cable and BGE will not hook up service to the grinder pump until the cable is replaced. Photographs in the file show a large electrical service cable with missing cover insulation.

C. Respondent Matko Chullin has agreed to have a licensed electrician replace the service cable. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if the correction is made within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$2,000.00 (two thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violation is corrected by January 20, 2010, with the cable replaced by a licensed electrician and all permit and inspection requirements satisfied. If the Respondent fails to correct the violations by that date, then the civil penalty shall be imposed and placed as a lien upon the property, and Respondent will be subject to additional Citation for the continued code violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 24th day of December 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO RESPONDENT: The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.